

Early notice of the entry of this Amendment is earnestly solicited.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Attorney for Applicants
Registration No. 36,688

Date: April 12, 1999

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14/C
Attached
gr. Tech

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

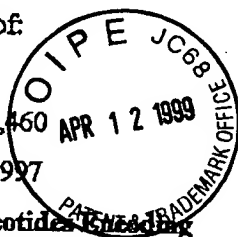
In re application of:

WEI *et al.*

Appl. No. 08/874,460

Filed: June 16, 1997

For: Polynucleotides encoding
Chemokine Beta-15 (As Amended)



Art Unit: 1646

Examiner: Draper, G.

Atty. Docket: 1488.0420001/EKS/HCC

Statement Concerning the Deposited cDNA Clone

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Plasmids containing human cDNA encoding chemokine beta-15 were deposited under the terms of the Budapest treaty on April 25, 1996. The deposit was made at the American Type Culture Collection, 10801 University Boulevard, Manassas, Virginia 20110-2209, and given accession number 97519.

Assurance is hereby given that: (1) all restrictions on the availability to the public of the deposited plasmids will be irrevocably removed upon the granting of a patent; (2) the plasmids have been deposited under conditions such that access to the material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto; and (3) the deposited plasmids will be maintained with all of the care necessary to keep them viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposit, and in any case, for a period of at least thirty years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

Respectfully submitted,

Date: 9 April 99

By: _____

James H. Davis
James H. Davis, Ph.D., Esq.
Senior Vice President and General Counsel
Human Genome Sciences, Inc.



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

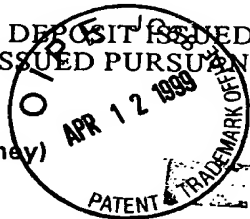
BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Human Genome Sciences, Inc.
Attn: Robert H. Benson
9410 Key West Avenue
Rockville, MD 20850



MAY 8 1996

Deposited on Behalf of: Human Genome Sciences, Inc.

HGS PATENT DEPT.

Identification Reference by Depositor:

ATCC Designation

DNA Plasmid, 1246902 (Docket PF282)

97519 ✓

The deposits were accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposits were received April 25, 1996 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 3, 1996. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: May 3, 1996